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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH

FOURSQUARE GOSPEL,

Plaintiff,

v.

CITY OF SAN LEANDRO, MICHAEL )

J. GREGORY (in his official capacity), )

SURLENE G. GRANT (in her official )

capacity), DIANA M. SOUZA (in her ) Date: September 5, 2007

official capacity), JOYSE R. ) Time: 9:00 a.m.

STAROSCIACK (in her official ) Courtroom: 3

capacity), BILL STEPHES (in his ) Hon.: Phyllis J. Hamilton

DECLARATION ED BULLOK

1 official capacity), JIM PROLA (in his )  
2 official capacity), JOHN JERMANIS (in )  
3 his official and individual capacities), )  
4 DEBBIE POLLART (in her official and )  
5 individual capacities), DOES 1-50, )  
6 Defendants. )  
7 FAITH FELLOWSHIP FOURSQUARE )  
8 CHURCH, )  
9 Real Party in Interest. )

10 I, Ed Bullok, do hereby declare as follows:

11  
12 1. That if called upon, I could and would testify truthfully, as to my own  
13 personal knowledge, as follows:

14 2. I am a realtor with over 40 years of experience in real estate. In  
15 addition, I have held a California Brokers license since 1979 and am the Broker of  
16 Record for Danville Realty Corporation. In my professional capacity, I have been  
17 qualified as an expert witness by the California State Courts.

18 3. I am familiar with the property located on 14600 and 14850 Catalina  
19 Street, which is the subject of this present litigation. I have examined title  
20 documents, which reveal that the property comprises 3.56 acres.

21 4. In my professional capacity as a real estate consultant, I have advised  
22 numerous churches on real estate issues. It is my opinion that a church with over  
23 1,000 in attendance needs to have a minimum of three acres to appropriately  
24 accommodate the people.

25 5. I am familiar with the newly created Assembly Use Overlay District  
26 passed by the San Leandro City Council. That Assembly Use Overlay District has  
27 created 196 properties for assembly use. That is Exhibit A to San Leandro's

28  
DECLARATION ED BULLOK

1 Ordinance Number 2007-006. In general, the locations chosen by the City for  
2 Assembly Use Overlay are the less desirable industrial and commercial locations  
3 within the City. The primary core of AU Overlay parcels is bisected by Washington  
4 Avenue, an old strip commercial street with substantial heavy industrial uses, and  
5 sandwiched between two railroad tracks. I have reviewed the list of all 196  
6 properties and have located the properties with three or more acres. Some large  
7 properties are located next to or across the street from debris strewn storage yards  
8 containing delapated or non-operable trucks and equipment. Some of the large sites  
9 contain neighborhood shopping centers. When we appeared before the Board of  
10 Zoning Adjustments we saw substantial opposition to the concept of changing the  
11 land use from shopping centers to assembly use, yet the AU Overlay still contains  
12 five shopping centers.

13 6. Of such properties there are no properties with land size (3 acres plus),  
14 building size (40,000 to 50,000 sq. ft), of a suitable configuration (typically  
15 rectangular and not L shaped), and with adequate traffic access appropriate to the  
16 Church's needs. There is not any property that comes even close to meeting the  
17 Church's criteria stated above. Of the parcels larger than three acres, not one is for  
18 sale.

19 I declare, under penalty of perjury under the laws of the State of California  
20 and the United States of America, that the foregoing is true and correct and is of my  
21 own personal knowledge, and indicate such below by my signature executed on this  
22 22nd day of August 2007, in the County of Alameda, City of Hayward.  
23  
24

25  
26 /S/ Ed Bullok  
27 Ed Bullok, Declarant  
28

DECLARATION ED BULLOK

**Attorney Attestation re Signature**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ Kevin Snider

Kevin T. Snider

Mathew B. McReynolds

Peter D. MacDonald

Attorneys for Plaintiff and

Real Party in Interest